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Approved for use through 10/31/2002 OMB 0651-0032  
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PTO/SB/05 (03-01)

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b>  <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>	Attorney Docket No.	PT004P1C1
	First Inventor	Ni et al.
	Title	Bone Morphogenic Protein (BMP) Polynucleotides, Polypeptides, and Antibodies
	Express Mail Label No.	

<b>APPLICATION ELEMENTS</b> See MPEP chapter 600 concerning utility patent application contents.		<b>ADDRESS TO:</b> Box Patent Application Commissioner for Patents Washington, DC 20231	
1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) <i>(Submit an original, and a duplicate for fee processing)</i>	7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)		
2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.	8. Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i>		
3. <input checked="" type="checkbox"/> Specification [Total Pages <b>248</b> ] <i>(preferred arrangement set forth below)</i> <ul style="list-style-type: none"> <li>- Descriptive title of the invention</li> <li>- Cross Reference to Related Applications</li> <li>- Statement Regarding Fed sponsored R &amp; D</li> <li>- Reference to sequence listing, a table, or a computer program listing appendix</li> <li>- Background of the Invention</li> <li>- Brief Summary of the Invention</li> <li>- Brief Description of the Drawings (if filed)</li> <li>- Detailed Description</li> <li>- Claim(s)</li> <li>- Abstract of the Disclosure</li> </ul>	a. <input type="checkbox"/> Computer Readable Form (CRF)		
4. <input type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets <input type="text"/>	b. Specification Sequence Listing on:		
5. Oath or Declaration [Total Pages <b>2</b> ]	i. <input type="checkbox"/> CD-ROM or CD-R (2 copies), or ii. <input checked="" type="checkbox"/> paper		
a. <input type="checkbox"/> Newly executed (original or copy)	c. <input checked="" type="checkbox"/> Statements verifying identity of above copies		
b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 1B completed)</i>	<b>ACCOMPANYING APPLICATIONS PARTS</b>		
i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)	9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))		
6. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76	10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney <i>(when there is an assignee)</i>		
	11. <input type="checkbox"/> English Translation Document <i>(if applicable)</i>		
	12. <input type="checkbox"/> Information Disclosure Statement (IDS) PTO-1449 <input type="checkbox"/> Copies of IDS Citations		
	13. <input type="checkbox"/> Preliminary Amendment		
	14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i>		
	15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i>		
	16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.		
	17. <input checked="" type="checkbox"/> Other: Request to Open New Disk File Under 37 C.F.R. § 1.821(e)		

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: **09/685,899**

Prior application information: Examiner **J. Andres** Group / Art Unit: **1646**

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.

**19. CORRESPONDENCE ADDRESS**

☒ Customer Number or Bar Code Label **22195** or ☐ Correspondence address below

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Country \_\_\_\_\_ Telephone \_\_\_\_\_ Fax \_\_\_\_\_

Name (Print/Type)	Mark J. Hyman	Registration No. (Attorney/Agent)	46,789
Signature		Date	February 7, 2002

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**FEE TRANSMITTAL  
for FY 2002**

Patent fees are subject to annual revision.

☐ Application claims small entity status See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** 776.00**Complete if Known**

Application Number	Not Yet Assigned
Filing Date	Herewith
First Named Inventor	Ni et al.
Examiner Name	Not Yet Assigned
Group Art Unit	Not Yet Assigned
Attorney Docket No.	PT004P1C1

**METHOD OF PAYMENT (check all that apply)**
☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account

Deposit Account Number 08-3425

Deposit Account Name Human Genome Sciences, Inc.

The Commissioner is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee

to the above-identified deposit account

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	740.00
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	180	214	80	Provisional filing fee	
SUBTOTAL (1) (\$)					740.00

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims		Extra Claims		Fee from below		Fee Paid
22	-20** =	2	x	18.00	=	36.00
2	-3** =		x		=	0.00
Multiple Dependent						

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim, if not paid	
109	84	209	42	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2) (\$)					36.00

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
116	110	216	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(g)	
126	180	126	180	Submission of information Disclosure Sheet	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR 1.129(h))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify)					
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3) (\$)					0.00

**SUBMITTED BY**

Name (Print/Type) Mark J. Hyman

Registration No. (Attorney/Agent)

46,789

**Complete (if applicable)**

Telephone (240) 314-1224

Signature

Date

February 7, 2002

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Ni et al.

Attorney Docket No.: PT004P1C1

Application Number: Not Yet Assigned

Group Art Unit: Not Yet Assigned

Filed: Herewith

Examiner: Unassigned

Title: Bone Morphogenic Protein (BMP) Polynucleotides,  
Polypeptides, and Antibodies

**REQUEST TO OPEN NEW DISK FILE  
UNDER 37 C.F.R. § 1.821(e)**

Commissioner for Patents  
Washington, D.C. 20231

Sir :

The above-identified patent application is a continuation of Application Serial No. 09/685,899, filed October 11, 2000. The sequence listing of the instant application is identical to the sequence content of the computer readable sequence listing previously filed in connection with Application Serial No. 09/685,899.

In accordance with 37 C.F.R. § 1.821(e), please use the computer readable form filed in connection with Application Serial No. 09/685,899 as the computer readable form for the instant application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form that will be used for the instant application. A paper copy of the Sequence Listing is included in the specification of the instant application filed herewith. Applicants hereby certify that the paper copy of the Sequence Listing filed herewith and the computer readable sequence listing previously filed in connection with Application Serial No. 09/685,899 are the same and do not include new matter.

Respectfully submitted,

Date: February 7, 2002



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